

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TRUTHOUT,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

No. CIV. S-12-2601 LKK/CKD

**ORDER**

Pending before the court in the above-captioned case is defendant U.S. Department of Justice's motion for summary judgment (ECF No. 27), currently set for hearing on December 9, 2013. Defendant's reply brief is due on October 21, 2013. (ECF No. 32.)

Also pending before the court is plaintiff Truthout's motion to seal certain docket entries. (ECF No. 28.) Plaintiff's brief in support of this motion is due on October 14, 2013. (ECF No. 30.)

Plaintiff has filed a motion for a stay in these proceedings, on the grounds that (i) funding has lapsed for most Executive branch agencies, and (ii) absent an appropriation,

1 Department of Justice attorneys are apparently prohibited from  
2 working on this case. Plaintiff also seeks a stay because its  
3 motion to seal implicates the privacy rights of a third-party  
4 (Hesham Abu Zubaidah), whose records are at issue in this matter;  
5 according to plaintiff, Mr. Zubaidah expects to file a motion to  
6 intervene in order to address the sealing.


7 In light of the foregoing, the court hereby orders as  
8 follows:

9 [1] All hearing dates and filing dates in this matter are  
10 VACATED.

11  
12 [2] When defendant and its counsel are permitted to resume  
13 their duties in this case, the parties are DIRECTED to meet-  
14 and-confer and submit a joint stipulation setting forth a  
15 proposed schedule for (i) the hearing on the summary  
16 judgment motion, (ii) the hearing on the proposed motion to  
17 intervene, and (iii) submission of any briefs that remain  
18 due on these motions.

19  
20 IT IS SO ORDERED.

21 DATED: October 8, 2013.

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24   
25 LAWRENCE K. KARLTON  
26 SENIOR JUDGE  
27 UNITED STATES DISTRICT COURT  
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